

MONTHLY SUPERVISION REPORT

Report for month of: SEPT 2012		PACTS Number: CR12-262RSL		Supervision officer name: MARK OKANO	
Full name: FREDERICK FRANCIS FRINK		Home phone: 425-558-4838		Mobile phone: 206-331-0217	
Did you move in the last month? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If Yes, when did you move?		E-Mail address: FFRINK@GMAIL.COM	
Current Home Street Address: 16030 N.E. 51st					
City: REDMOND		State: WA		County: KING	
With whom do you reside: N/A		Are you the owner of your charges?			
Do you own or operate a vehicle: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		CAR 1		CAR 2	
Did you start a new job in the last month? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Make of car: LAND ROVER			
If yes, start date?		Model: DISC			
		Year: 2004			
		Color of car: BLUE			
		License plate #: AEF 157			
Are you currently: <input type="checkbox"/> Employed <input type="checkbox"/> Unemployed <input type="checkbox"/> Self-Employed <input type="checkbox"/> Full-time student <input checked="" type="checkbox"/> Retired <input type="checkbox"/> On disability					
Name of employer or school: N/A		Job title:		Work phone:	
Current employment address: N/A					
City:		State:		County:	
Supervisor's name: N/A		Monthly income:		Work hours:	
Did you receive any money other than from employment such as loans, relief benefits, etc? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		At work, who knows of your charges?			
If yes, give amounts and from whom received:					
Have you had any contact with law enforcement or another court in the last month? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If yes, which agency/court and give dates of contact?					
What was the outcome?					
Comments:					

EVIDENCE Exhibit 2

I CERTIFY THAT ALL ANSWERS ARE COMPLETE AND CORRECT. I UNDERSTAND THAT A FALSE STATEMENT MAY RESULT IN THE REVOCATION OF MY RELEASE, IN ADDITION TO THE PROSECUTION UNDER TITLE 18, U.S.C., SECTION 1001

Fred F. Frink
Defendant's Signature

Date signed: **OCT 2 2012**

Return this report to (Seattle Office): U.S. Pretrial Services 700 Stewart Avenue, Suite 10101 Seattle, WA 98101 (206) 370-8950	Return this report to (Tacoma Office): U.S. Pretrial Services 1717 Pacific Avenue, Suite 1152 Tacoma, WA 98402 (253) 882-3705	(For Office Use) Reviewed by:
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12-CV-02048-EXH 2

Form 668 (Y)(c) (Rev. February 2004)	8801	Department of the Treasury - Internal Revenue Service Notice of Federal Tax Lien
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Area: SMALL BUSINESS/SELF EMPLOYED AREA #6 Lien Unit Phone: (800) 913-6050	Serial Number 547442	For Optional Use by Recording Office
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As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer FRED F FRINK

Residence PO BOX 98
BELLEVUE, WA 98009-0098

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is reflected by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Filing (e)	Unpaid Balance of Assessment (f)
1040	12/31/2008	XXXXXX	04/28/2009	05/28/2019	1197131.86

STATE OF WASHINGTON
County of King

The Director of Records & Information for the County of King, Washington and ex officio Recorder of Records and Instruments, do hereby certify the foregoing copy has been compared with the original instrument as the same appears

Place of Filing file and of record in the office and that the same is a true and perfect transcript of said original and of the whole thereof.

WITNESS my hand and official seal this _____ day
of _____, 2009.
COUNTY AUDITOR
KING COUNTY
SEATTLE, WA 98104

Total \$ 1197131.86

This notice was prepared and signed at _____, SEATTLE, WA, on this, _____, the _____ day of May, 2009.

Signature *R. A. Mitchell*
for CHARLES WASHINGTON

Title
REVENUE OFFICER 26-10-3612
(253) 435-8856

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax Lien
Rev. Rul. 71-468, 1971 - 2 C.B. 409)

Part 1 - Kept By Recording Office

Form 668(Y)(c) (Rev. 2-2004)
CAT. NO 60025X

(Rev. December 2001)

Final Demand for Payment

To
INNOVATIVE PIPELINE SERVICES
10900 NE 8TH ST SUITE 1260
BELLEVUE, WA 98004

Date
03/22/2010

On March 12, 2010, a notice of levy was served on INNOVATIVE PIPELINE SERVICES at BELLEVUE, WA. The notice of levy attached property, rights to property, money, credit, and bank deposits then in your possession, then credit of, belonging to, or owned by FRED F FRINK of BELLEVUE, WA. Identifying Number(s) 265-689237. When the notice was served, that person owed and still owes the United States \$1350225.33. Demand was made on you for the amount shown in the notice of levy, or for any smaller amount you owed the taxpayer, but we have not received your payment.

Please see section 6332 of the Internal Revenue Code on the back of this form.

Demand is again made for \$1350225.33 shown in the notice of levy, or for any smaller amount you owed the taxpayer when the notice of levy was served. Send us payment as explained in the instructions received on the levy within 5 days of getting this demand. If you don't pay within 5 days, we will consider you to have refused our demand and we may then enforce Code Section 6332.

If someone other than the taxpayer has a claim against this property, please complete the back of this form.

Signature
CHARLES WASHINGTON

Title
REVENUE OFFICER

Telephone Number
(253)435-8856

Address (City and State)
1501 PACIFIC AVENUE
TACOMA, WA 98402-4301

**Refused for cause Refused for Fraud
Violations of the 4th 5th and 6th
Constitutional Amendments Violation of
Due Process. (Lawful and
Real Party in Interest
America National
and agree by my own seal.**

**Date November 20th 2012: Fred Frink
of the Republic union state of Pennsylvania
Nativity Right. I approve submission and agree by my own seal.
All Rights Reserved.**

Form 668-A(ICS)
(Rev. July 2002)

Department of the Treasury - Internal Revenue Service

Notice of Levy

DATE: 03/30/2010

TELEPHONE NUMBER

REPLY TO: Internal Revenue Service

OF IRS OFFICE: (253)435-8856

CHARLES WASHINGTON

1201 PACIFIC AVENUE

TACOMA, WA 98402-4301

NAME AND ADDRESS OF TAXPAYER:

FRANK FRANK

PO BOX 98

BELLEVUE, WA 98009-0098

EIN

TO: UNION BANK, NA

10900 NE 8TH ST.

SUITE 100

BELLEVUE, WA 98004

Authorized Representative

IDENTIFYING NUMBER(S): 253-68-9257

FRIN

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
1040	12/31/2008	\$1,179,738.99	\$1,844,899.99	\$1,364,432.47
THIS LEVY WON'T ATTACH FUNDS TO IRAs, SELF-EMPLOYED INDIVIDUALS' RETIREMENT PLANS, OR ANY OTHER RETIREMENT PLANS IN YOUR POSSESSION OR CONTROL UNLESS IT IS SIGNED IN THE BLOCK TO THE RIGHT. ----->				Total Amount Due
				\$1,364,432.47

We figured the interest and late payment penalty to \$1,364,432.47

Although we have told you to pay the amount you owe, it is still not paid. This is your copy of a notice of levy we have sent to collect this unpaid amount. We will send other levies if we don't get enough with this one.

Banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the Internal Revenue Code must hold your money for 21 calendar days before sending it to us. They must include the interest you earn during that time. Anyone else we send a levy to must turn over your money, property, credits, etc. that they have (or are already obligated for) when they would have paid you.

If you decide to pay the amount you owe now, please bring a guaranteed payment (cash, cashier's check, certified check, or money order) to the nearest IRS office with this form, so we can tell the person who received this levy not to send us your money. Make checks and money orders payable to **United States Treasury**. If you mail your payment instead of bringing it to us, we may not have time to stop the person who received this levy from sending us your money.

If we have erroneously levied your bank account, we may reimburse you for the fees your bank charged you for handling the levy. You must file a claim with the IRS on Form 8546 within one year after the fees are charged.

If you have any questions, or want to arrange payment before other levies are issued, please call or write us. If you write to us, please include your telephone number and the best time to call.

Signature of Service Representative

Title

/S/ CHARLES WASHINGTON

REVENUE OFFICER

Department of the Treasury - Internal Revenue Service

(Rev. December 2001)

Final Demand for Payment

To
INNOVATIVE PIPELINE SERVICES
10900 NE 8TH ST SUITE 1260
BELLEVUE, WA 98004

Date
03/22/2010

On March 12, 2010, a notice of levy was served on INNOVATIVE PIPELINE SERVICES at BELLEVUE, WA. The notice of levy attached property, rights to property, money, credit, and bank deposits then in your possession or the credit of, belonging to, or owned by FRED F FRINK of BELLEVUE, WA. Identifying Number(s) 265 009257. When the notice was served, that person owed and still owes the United States \$1350225.33. Demand was made on you for the amount shown in the notice of levy, or for any smaller amount you owed the taxpayer, but we have not received your payment.

Please see section 6332 of the Internal Revenue Code on the back of this form.

Demand is again made for \$13502.08, shown in the notice of levy, or for any smaller amount you owe the taxpayer when the notice of levy was served. Send us payment as explained in the instructions received on the levy within 5 days of getting this demand. If you don't pay within 5 days, we will consider you to have refused our demand and we may then enforce Code Section 6332.

If someone other than the taxpayer has a claim against this property, please complete the back of this form.

Accepted and Returned of Assessed Value,
Closure and settlement of this accounting.

By:

Authorized Rep

Returned for Unassessed Value,
Settlement of 2012 Tax
Date November 20, 2012
of the Republic of the Philippines
Nativity Right. I approve submission
All Rights Reserved.

Form 668-C (Rev. 12-2001)

Form 668-A(ICS)
(Rev. July 2002)

Department of the Treasury - Internal Revenue Service

Notice of Levy

DATE: 03/30/2010

TELEPHONE NUMBER

REPLY TO: Internal Revenue Service
CHARLES WASHINGTON
1201 PACIFIC AVENUE
TACOMA, WA 98402-4301

OF IRS OFFICE: (253)435-8856

TO: UNION BANK, NA
10900 NE 8TH ST.
SUITE 100
BELLEVUE, WA 98004

NAME AND ADDRESS OF TAXPAYER:

FRED F FRINK
PO BOX 98
BELLEVUE, WA 98009-0098

IDENTIFYING NUMBER(S): 253-68-9257

EIN

**Refused for cause Refused for Fraud
Violations of the 4th 5th and 6th
Constitutional Amendments Violation of
Due Process.**

(Lawful seal)
Date November 20th 2012: Fred Franks: Real Party in Interest
of the Commonwealth of Pennsylvania American National
Notary Public I approve submissions and agree by my lawful seal
All Rights Reserved

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Addition	Total
1040	12/31/2008	\$1,179,733.00	\$784,699.47	\$1,364,432.47
THIS LEVY WON'T ATTACH FUNDS TO IRAs, SELF-EMPLOYED INDIVIDUALS' RETIREMENT PLANS, OR ANY OTHER RETIREMENT PLANS IN YOUR POSSESSION OR CONTROL UNLESS IT IS SIGNED IN THE BLOCK TO THE RIGHT. ----->				Total Amount Due
				\$1,364,432.47

We figured the interest and late payment penalty to \$1,364,432.47

Although we have told you to pay the amount you owe, it's still not paid. This is your copy of a notice of levy we have sent to collect this unpaid amount. We will send other levies if we don't get enough with this one.

Banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the Internal Revenue Code must hold your money for 21 calendar days before sending it to us. They must include the interest you earn during that time. Anyone else we send a levy to must turn over your money, property, credits, etc. that they have (or are already obligated for) when they would have paid you.

If you decide to pay the amount you owe now, please **bring** a guaranteed payment (cash, cashier's check, certified check, or money order) to the nearest IRS office with this form, so we can tell the person who received this levy not to send us your money. Make checks and money orders payable to **United States Treasury**. If you mail your payment instead of bringing it to us, we may not have time to stop the person who received this levy from sending us your money.

If we have erroneously levied your bank account, we may reimburse you for the fees your bank charged you for handling the levy. You must file a claim with the IRS on Form 8546 within one year after the fees are charged.

If you have any questions, or want to arrange payment before other levies are issued, please call or write us. If you write to us, please include your telephone number and the best time to call.

Signature of Service Representative
/S/ CHARLES WASHINGTONTitle
REVENUE OFFICER

Form 668-A(ICS)
(Rev. July 2002)

Department of the Treasury - Internal Revenue Service

Notice of Levy

DATE: 03/30/2010

TELEPHONE NUMBER

REPLY TO: Internal Revenue Service
CHARLES WASHINGTON
1201 PACIFIC AVENUE
TACOMA, WA 98402-4301

OF IRS OFFICE: (253)435-8856

NAME AND ADDRESS OF TAXPAYER:

FRED F FRINK
PO BOX 98
BELLEVUE, WA 98009-0098TO: UNION BANK, NA
10900 NE 8TH ST.
SUITE 100
BELLEVUE, WA 98004

IDENTIFYING NUMBER(S) 265-68-9257

FRIN

Kind of Tax	Tax Period Ended	Unpaid balance of assessment	Statutory Additions	Total
1040	12/31/2008	\$1,179,832.55	\$1,464,922.92	\$1,364,432.47
THIS LEVY WON'T ATTACH FUNDS IN IRAs, SELF-EMPLOYED INDIVIDUALS' RETIREMENT PLANS, OR ANY OTHER RETIREMENT PLANS IN YOUR POSSESSION OR CONTROL UNLESS IT IS SIGNED IN THE BLOCK TO THE RIGHT. =====>				Total Amount Due \$1,364,432.47

We figured the interest and late payment penalty

Although we have told you to pay the amount you owe, it is still not paid. This is your copy of a notice of levy we have sent to collect this unpaid amount. We will send other levies if we don't get enough with this one.

Banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the Internal Revenue Code must hold your money for 21 calendar days before sending it to us. They must include the interest you earn during that time. Anyone else we send a levy to must turn over your money, property, credits, etc. that they have (or are already obligated for) when they would have paid you.

If you decide to pay the amount you owe now, please bring a guaranteed payment (cash, cashier's check, certified check, or money order) to the nearest IRS office with this form, so we can tell the person who received this levy not to send us your money. Make checks and money orders payable to **United States Treasury**. If you mail your payment instead of bringing it to us, we may not have time to stop the person who received this levy from sending us your money.

If we have erroneously levied your bank account, we may reimburse you for the fees your bank charged you for handling the levy. You must file a claim with the IRS on Form 8546 within one year after the fees are charged.

If you have any questions, or want to arrange payment before other levies are issued, please call or write us. If you write to us, please include your telephone number and the best time to call.

Signature of Service Representative

/S/ CHARLES WASHINGTON

Title

REVENUE OFFICER

Voucher

Form 668-A(ICS)
(Rev. July 2002)

Department of the Treasury - Internal Revenue Service

Notice of Levy

DATE: 03/30/2010

TELEPHONE NUMBER

REPLY TO: Internal Revenue Service
CHARLES WASHINGTON
1201 PACIFIC AVENUE
TACOMA, WA 98402-4301

OF IRS OFFICE: (253)435-8856

NAME AND ADDRESS OF TAXPAYER:

FRED F FRINK

PO BOX 98

BELLEVUE, WA 98009-0098

TO: UNION BANK, NA
10900 NE 8TH ST.
SUITE 100
BELLEVUE, WA 98004

IDENTIFYING NUMBER(S): 253-68-9257

FRIN

**Refused for cause Refused for Fraud
Violations of the 4th 5th and 6th
Constitutional Amendments Violation of
Due Process (Lawful seal)**

Handwritten: Fred Francis
Date November 20, 2012: Fred Francis: Real Party in Interest
State of Pennsylvania American National
Marky Real: I approve submissions and agree by my lawful seal.
All Rights Reserved

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
1040	12/31/2008	1,179,730.00	1,844,692.47	\$1,364,432.47
THIS LEVY WON'T ATTACH FUNDS TO IRAS, SELF-EMPLOYED INDIVIDUALS RETIREMENT PLANS, OR ANY OTHER RETIREMENT PLANS IN YOUR POSSESSION OR CONTROL UNLESS IT IS SIGNED IN THE BLOCK TO THE RIGHT. =====>				
				Total Amount Due
				\$1,364,432.47

We figured the interest and late payment penalty to \$4,372.90

Although we have told you to pay the amount you owe, it's still not paid. This is your copy of a notice of levy we have sent to collect this unpaid amount. We will send other levies if we don't hear from you with this one.

Banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the Internal Revenue Code must hold your money for 21 calendar days before sending it to us. They must include the interest you earn during that time. Anyone else we send a levy to must turn over your money, property, credits, etc. that they have (or are already obligated for) when they would have paid you.

If you decide to pay the amount you owe now, please bring a guaranteed payment (cash, cashier's check, certified check, or money order) to the nearest IRS office with this form, so we can tell the person who received this levy not to send us your money. Make checks and money orders payable to **United States Treasury**. If you mail your payment instead of bringing it to us, we may not have time to stop the person who received this levy from sending us your money.

If we have erroneously levied your bank account, we may reimburse you for the fees your bank charged you for handling the levy. You must file a claim with the IRS on Form 8546 within one year after the fees are charged.

If you have any questions, or want to arrange payment before other levies are issued, please call or write us. If you write to us, please include your telephone number and the best time to call.

Signature of Service Representative

/S/ CHARLES WASHINGTON

Title

REVENUE OFFICER

Form 668 (Y)(c)
(Rev. February 2004)

8801
Department of the Treasury Internal Revenue Service
Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #6
Lien Unit Phone: (800) 913-6050

Social Number:
547442809

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes and additional penalties, interest, and costs that may accrue.

Name of Taxpayer: FRED E FRINK

Residence: PO BOX 8
BELLEVUE, WA 98009-0008

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6321(d).

Kind of Tax (a)	Tax Period Ending (b)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2008	04/28/2009	05/28/2019	1197131.86

Place of Filing
COUNTY AUDITOR
KING COUNTY
SEATTLE, WA 98104

Total \$ 1197131.86

This notice was prepared and signed at SEATTLE, WA on this,

the 12th day of May 2009

Notice of Levy on Wages, Salary, and Other Income

DATE: 03/12/2010

TELEPHONE NUMBER

REPLY TO: Internal Revenue Service
CHARLES WASHINGTON
1201 PACIFIC AVENUE
TACOMA, WA 98402-4301

OF IRS OFFICE: (253)435-8856

TO: INNOVATIVE PIPELINE SERVICES
10900 NE 8TH ST SUITE 1260
BELLEVUE, WA 98004

NAME AND ADDRESS OF TAXPAYER:
FRED F FRINK
PO BOX 98
BELLEVUE, WA 98009-0098

IDENTIFYING NUMBER(S): 265-68-9257

FRIN

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
1040	12/31/2008	\$9,732.55	\$1,350,192.78	\$1,350,225.33
Employer or Other Addressee: Please complete the back of this page.			Total Amount Due ⇒	\$1,350,225.33

We figured the interest and late payment penalty to 04/12/2010

Statement of Exemptions and Filing Status (To be completed by taxpayer; instructions are on the back of Part 5)

My filing status for my income tax return is (check one):

☐ Single;

☐ Married Filing a Joint Return;

☐ Married Filing a Separate Return;

☐ Head of Household; or

☐ Qualifying Widow(er) with dependent child

ADDITIONAL STANDARD DEDUCTION: (Enter amount only if you or your spouse is at least 65 and/or blind.)

I certify that I can claim the people named below as personal exemptions on my income tax return and that none are claimed on another Notice of Levy. No one I have listed is my minor child to whom (as required by court or administrative order) I make support payments that are already exempt from levy. I understand the information I have provided may be verified by the Internal Revenue Service. Under penalties of perjury, I declare that this statement of exemptions and filing status is true.

Name (Last, First, Middle Initial)	Relationship (Husband, Wife, Son, Daughter, etc.)	Social Security Number (SSN)

Taxpayer's Signature

Date

PLEASE REMOVE THIS PAGE BEFORE COMPLETING IT.

TAXPAYER'S NAME(S) _____

IDENTIFYING NUMBER(S)

(as shown on the front) _____

SECTION 1. — Levy Acknowledgment

Signature of person responding _____

Printed name of person responding _____

Your telephone number _____

Date and time this levy received _____

SECTION 2. — Levy Results (Check all applicable boxes)

- ☐ Check attached in the amount of \$_____
- ☐ Additional checks will be sent _____
- ☐ _____ weekly, bi-weekly, monthly, etc.
- ☐ _____ approximate amount of each payment
- ☐ Taxpayer no longer employed here as of _____ (date).
- ☐ Remarks _____

SECTION 3. — Additional information (Please complete this section if this levy does not attach any funds.)

Taxpayer's latest address, if different from the one on this levy. _____

Taxpayer's telephone number: (_____) _____

Name and address of taxpayer's employer: _____
(if different from addressee)

Other information you believe may help us: _____

Presented to the Court by the foreman of the Grand Jury in open Court, in the presence of the Grand Jury and FILED in the U.S. DISTRICT COURT at Seattle, Washington.

SEPTEMBER 6 2012
WILLIAM M. McCOOL, Clerk
By [Signature] Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

FRED F. FRINK,

Defendant.

The Grand Jury charges that:

(False, fictitious, and Fraudulent Claim)

On or about April 14, 2009, at Kirkland, within the Western District of Washington, and elsewhere, FRED F. FRINK made and presented to the Internal Revenue Service, United States Department of the Treasury, a claim upon and against the United States, that is, a claim for a tax refund for \$827,117.00, knowing that the claim was false, fictitious, and fraudulent.

All in violation of Title 18, United States Code, Sections 287 and 2.

COUNTS 2-3
(Fictitious Obligation)

EVIDENCE Exhibit 2

On or about May 22, 2009, at Tacoma, within the Western District of Washington, and elsewhere, FRED F. FRINK, with the intent to defraud the United States, did pass, utter, present, and offer the following false and fictitious instruments, documents, and

1 other items appearing, representing, purporting, and contriving through scheme and
2 artifice, to be an actual security and other financial instrument issued under the authority
3 of the United States:

COUNT	ITEM	AMOUNT
2	Money Order	\$3,800.00
3	Money Order	\$2,432,663.00

4 All in violation of Title 18, United States Code, Section 514(a)(2)

5 **COUNTS**
6 **(Money Laundering)**

7 On or about the dates set forth below, at Bellevue, within the Western District of
8 Washington, and elsewhere, RED FRANK and knowingly engaged in the following
9 monetary transactions through and to a financial institution, affecting interstate or
10 foreign commerce in criminally derived property of value greater than \$10,000, that is
11 the deposit, withdrawal, and transfer of funds, such property having been derived from a
12 specified unlawful activity, that is, Theft of Public Money, in violation of Title 18, United
13 States Code, Section 641:
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16

COUNT	DATE	TRANSACTION
4	April 22, 2009	Transfer of \$824,000.00 in funds from Foundation Bank account *****0824 to Washington Mutual Bank account ***-*****167-5
5	April 27, 2009	Withdrawal of \$113,098.06 in funds from Foundation Bank account *****0824 used to pay off loans serviced by Foundation Bank
6	May 30, 2009	Withdrawal of \$48,758.60 in funds from Coastal Community Bank by check presented to Park Place Motors

17 All in violation of Title 18, United States Code, Sections 1957 and 2.
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COUNT 7
(Bank Fraud)

A. The Scheme and Artifice to Defraud

1. Beginning on a date uncertain, but within the last ten years, and continuing through in or about April 2009, at Bellevue, within the Western District of Washington, and elsewhere, FRED F. FRINK did devise and execute, and did attempt to devise and execute, a scheme and artifice to defraud Foundation Bank, a financial institution, as defined by Title 18, United States Code, Section 20, and to obtain moneys, funds, and credits under the custody and control of the financial institution, by means of materially false and fraudulent pretenses, representations and promises, as further described below.

2. The essence of the scheme and artifice to defraud was for FRED F. FRINK to submit a tax return that he falsely represented had been filed with the Internal Revenue Service in order to obtain a renewal of a line of credit.

Background
3. In February 2007, FRED F. FRINK received a line of credit from Foundation Bank in the amount of \$94,000.00. He secured the line of credit with multiple real properties.

4. At the time that the line of credit was extended, it was set to expire on January 11, 2008. Foundation Bank renewed the line of credit on multiple occasions. The line of credit was set to expire on April 11, 2009.

5. On April 7, 2009, Foundation Bank requested certain documents from FRED F. FRINK in order to decide whether to renew the line of credit for an additional period of time. In particular, Foundation Bank requested FRED F. FRINK's tax return for tax year 2008.

6. In March 2009, FRED F. FRINK retained D.E., a tax preparer to prepare his 2008 tax return. On or around April 10, 2009, D.E. sent FRED F. FRINK a return for him to sign and file with the Internal Revenue Service. Under the return, FRED F. FRINK was to claim a tax refund of \$7413.00.

7. FRED F. FRINK never submitted this return to the Internal Revenue Service. Instead, he visited H&R Block. He provided H&R Block bogus tax forms purporting to show that over a million dollars in tax had been withheld on his behalf. On the basis of these tax forms, H&R Block prepared a tax return in which FRED F. FRINK claimed a tax refund in the amount of \$827,500.00. The Internal Revenue Service issued and sent FRED F. FRINK a check in this amount before it detected the fraudulent nature of the return.

B. Manner and Means of the Scheme and Artifice

6. It was part of the scheme and artifice to defraud that FRED F. FRINK submitted to Foundation Bank the 2008 tax return that had been prepared by D.E., for the purpose of having the bank renew his line of credit.

7. It was part of the scheme and artifice to defraud that FRED F. FRINK signed the return prepared by D.E. to make it falsely appear that he had submitted this return to the Internal Revenue Service.

8. It was part of the scheme and artifice to defraud that FRED F. FRINK deliberately did not submit to Foundation Bank the fraudulent return that H&R Block had prepared, for fear that Foundation Bank or others would investigate the accuracy of the return.

9. It was part of the scheme and artifice to defraud that FRED F. FRINK repaid the line of credit in full on April 27, 2009, after receiving the fraudulent tax refund from the Internal Revenue Service.

C. The Execution of the Scheme.

10. On or about the below-listed date, at Bellevue and elsewhere within the Western District of Washington, FRED F. FRINK executed and attempted to execute this scheme and artifice to defraud, and to obtain moneys, funds, and credits under the custody and control of a financial institution, by means of materially false and fraudulent pretenses, representations and promises, by conducting and causing to be conducted the following transaction:

Count	Date	Transaction
7	On or around April 15, 2012	Presentment of tax return prepared by D.E. to Foundation Bank, for the purpose of obtaining a renewal of the line of credit for FRED F. FRINK maintained at the bank

All in violation of Title 18, United States Code, Section 1344 and Section 2.

ASSET FORFEITURE ALLEGATIONS

1. Counts 4 through 6

Upon conviction of the offenses alleged in Counts 4 through 6 of this Indictment, FRED F. FRINK shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real or personal, involved in such offenses, or any property traceable to such property.

2. Count 7

Upon conviction of the offense alleged in Count 7 of this Indictment, FRED F. FRINK shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation.

Any of the above-described forfeitable property, as a result of any act or omission of the Defendant:

1. cannot be located upon the exercise of due diligence;
2. has been transferred or sold to, or deposited with, a third party;
3. has been placed beyond the jurisdiction of the Court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided without difficulty;

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1 it is the intent of the United States, pursuant to Title 21, United States Code,
2 Section 853(p), to seek the forfeiture of any other property of the Defendants up to the
3 value of the above-described forfeitable property.
4

5 A TRUE BILL

6 DATED 7-1-2012

7 (Signature of Foreperson redacted pursuant to
8 the policy of the Judicial Conference of the
9 United States)

10 REPPEERSON (Lawful)

11
12 JENNY A. DUKAKIS
13 United States Attorney

14 ANDREW C. FRIEDMAN
15 Assistant United States Attorney

16
17 THOMAS M. WOODS
18 Assistant United States Attorney

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28
Date November 20th 2012: Fred Francis: Real Party in Interest
of the Republic Union State of Pennsylvania American National
Nativity Right. I approve submissions and agree by my lawful seal.
All Rights Reserved.

Magistrate Judge Tsuchida

FILED ENTERED
LOGGED RECEIVED

SEP -7 2012

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff

FRED F. FRINK,

Defendant

No. CR12-0262RSL

MOTION FOR DETENTION
ORDER

The United States moves for pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

Eligibility of Case: This case is eligible for a detention order because this case involves (check all that apply)

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum sentence of ten years or more
- ☐ Crime with a maximum sentence of life imprisonment or death
- ☐ Drug offense with a maximum sentence of ten years or more
- ☐ Felony offense and defendant has two prior convictions in the four categories above, or two State convictions that would otherwise fall within these four categories if federal jurisdiction had existed.
- ☐ Felony offense involving a minor victim other than a crime of violence

EVIDENCE Exhibit 2

— Felony offense, other than a crime of violence, involving possession or use of a firearm, destructive device (as those terms are defined in 18 U.S.C. § 921), or any other dangerous weapon

— Felony offense other than a crime of violence that involves a failure to register as a Sex Offender (18 U.S.C. § 2250)

☒ Serious risk the defendant will flee

— Serious risk of obstruction of justice, including intimidation of a prospective witness or juror

2. Reason for Detention. The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

☒ Defendant's appearance as required

☒ Safety of any other person and the community

3. Rebuttable Presumption. The United States will not invoke the rebuttable presumption against defendant under § 3142(e). The presumption applies because:

— Probable cause to believe defendant committed offense within five years of release following conviction for a "qualifying offense" committed while on pretrial release.

— Probable cause to believe defendant committed drug offense with a maximum sentence of ten years or more

— Probable cause to believe defendant committed a violation of one of the following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)

— Probable cause to believe defendant committed an offense involving a victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3), 2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425.

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1 4. Time for Detention Hearing. The United States requests the Court conduct
2 the detention hearing:

3 At the initial appearance

4 X After continuance of 1 day (not more than 3)

5 5. Other matters

6
7 DATED this 7th day of September, 2012

8 respectfully submitted,

9 JENNY A. DUREAN
10 United States Attorney

11
12 THOMAS M. WOODS
13 Assistant United States Attorney

14
15 *Fred Franks*
16 Date November 20th 2012: Fred Franks, Party in Interest
17 of the Republic union state of Pennsylvania American National
18 Nativity Right. I approve submissions and seal by my lawful seal.
19 All Rights Reserved.
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AO (Rev. 11/11) Arrest Warrant

12-CR-00262-STMT

AT SEATTLE

United States of America
v.

FRED F. FRINK

FILED ENTERED
LODGED RECEIVED

SEP 7 2012 DJ
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT WASHINGTON

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States Magistrate Judge without unnecessary delay **FRED F. FRINK**, who is accused of an offense or violation based on the following document filed with the court:

X Indictment ☐ Supervising Indictment ☐ Information ☐ Supervising Information ☐ Complaint
☐ Probation Violation ☐ Supervised Release Violation ☐ Violation Notice ☐ Order of Court

This offense is hereby described as follows:

Count 1: False, Fictitious, & Fraudulent Claim
18:287 & 2
Counts 2-3: Fictitious Obligation
18:514(a)(2)
Counts 4-6: Money Laundering
18:1957
Count 7: Bank Fraud
18:1344 &

September 7, 2012

Seattle, WA

Issuing officer's signature

James Kelly, Deputy Clerk

Printed name and title

EVIDENCE Exhibit 2

Return

This warrant was received on (date) 9/7/12; and the person was arrested on (date) 9/7/12 at
(city and state) Kirkland, WA
Date: 9/7/12

Arresting officer's signature

Mike Ball
Printed name and title

FILED ENTERED
LODGED RECEIVED

SEP - 6 2012

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 12-2062 RSL

FREDERICK PRINCE,

Defendant.

ORDER ISSUING BENCH WARRANT

An arrestment having been returned against the above-named defendant, now therefore

IT IS ORDERED that a Bench Warrant shall be issued and conditions of release shall be fixed at time of initial appearance in this case.

DATED this 6th day of September, 2012.


UNITED STATES MAGISTRATE JUDGE

SECRET: YES ☒ NO ☐



United States District Court
Western District of Washington



UNITED STATES OF AMERICA,
vs.

Frederick Francis Frink

APPEARANCE BOND
CASE No: CR12-262RSL

I understand that I may be released from custody, pending further proceedings in this case, on the conditions marked below:

- **Court Appearances.** I must appear in court at the *United States Courthouse, 700 Stewart Street, Seattle, Washington; Courtroom: AS DIRECTED*, on Tuesday, November 13, 2012 at 9:00 a.m. and at all other hearings in this case, including turning myself in to begin serving a sentence, should that occasion arise. **UNDERSTAND THAT A WILLFUL FAILURE TO APPEAR IN COURT AT A TIME SET FOR HEARING IS A SEPARATE CRIMINAL OFFENSE, PUNISHABLE BY UP TO 10 YEARS IMPRISONMENT AND A FINE OF \$250,000.**
- **No Law Violations.** I must not commit a federal, state, or local crime during the period of release. I understand that if I commit a felony while on release, my sentence can be increased by a maximum of ten years. If I commit a misdemeanor while on release, my sentence can be increased by a maximum of one year. These sentences would be consecutive to all other applicable sentences.
- **DNA Testing.** I must cooperate in the collection of a DNA sample if the collection is authorized by U.S.C. § 14135a.
- **No Controlled Substances.** I must not use, consume or possess any controlled substances including medication, unless prescribed by a physician and approved in advance by the Pretrial Services Office.
- **Address.** I must furnish my attorney, and/or Pretrial Services if supervised, with my current address and telephone number (if any) where I will reside upon release and where I will receive any notices of hearing dates. I must report any changes in that address or telephone number to my attorney and/or Pretrial Services if supervised, within one business day.
- **Restrictions on Travel.** I must not travel outside the Continental United States or as directed below under 'Other Conditions'.
- **Victim and Witness Protection.** I must not harass, threaten, intimidate, contact with, improperly influence, or injure the person or property of witnesses, jurors, informants, victims of crime, judicial officers, or other persons related to official proceedings before the Court in violation of 18 U.S.C. § 1503, 1512, and 1513.
- **Pretrial Supervision.** I am subject to Pretrial Services supervision by the Pretrial Services Office of the Court and must abide by such of the general and special conditions of release as that office shall impose. I must report to the Office of Pretrial Services, (206) 370-8950, United States Courthouse, 700 Stewart Street, Seattle, Washington within 24 hours of my release unless released during a weekend or on a holiday in which case I must report at 9:00 a.m. the following court day.

OTHER SPECIAL CONDITIONS:

- Travel is restricted to the Western District of Washington or as directed by Pretrial Services.
- Surrender all current and expired passports and travel documents to the court. Do not apply for/obtain a new passport or travel document from any country without permission of the court. If the surrendered passport is a foreign passport, it shall be forwarded to Immigration and Customs Enforcement if defendant is convicted of an offense, unless otherwise ordered by the Court.
- You are prohibited from possessing or having access to firearms and dangerous weapons. All firearms and dangerous weapons must be removed from your residence(s), vehicle(s), and place of employment. This condition operates in conjunction with any restrictions imposed under Title 18, USC 922, and the Washington State Revised Code, Chapter 9A1.
- Provide Pretrial Services with any requested information regarding your financial status, income sources, and investments. Sign a Release of Information form for Credit Bureau Verification if requested by Pretrial Services.

12-CR-00262-EXH

EVIDENCE Exhibit

2

Frederick Francis Frink

CR12-262RSL

AGREEMENT BY DEFENDANT: I understand and agree to comply with every condition marked above, and I understand that if I fail to comply with any conditions of my release, the Court will immediately issue a warrant for my arrest, and I will be subject to a revocation of release, an order of detention, and prosecution for contempt of court. I understand this appearance bond remains in effect during any proceeding on appeal or review.

X Fred Frink
Signature

September 10, 2012
Date Signed

Redmond, WA
City State of Residence

It is therefore ORDERED:

- (1) Defendant shall comply with all conditions of this appearance bond;
(2) Defendant shall be released from custody, and shall remain at liberty so long as he or she complies with the provisions of this Appearance Bond, or until further order of the Court.

September 10, 2012
Date Signed

B. A. Tsuchida
UNITED STATES MAGISTRATE JUDGE

cc: Defendant, Defense Counsel, U.S. Attorney, U.S. Marshal, Pretrial Services

**Refused for cause Refused for Fraud
Violations of the 4th 5th and 6th
Constitutional Amendments Violation of
Due Process.**

Fred Francis
Date November 20th 2012: Fred Francis: Real Party in interest
of the Republic union state of Pennsylvania American National
Native Right. I approve submissions and agree by my lawful seal.
All Rights Reserved.

(Lawful seal)

DEFENDANT STATUS SHEET (One for each defendant)

I. CASE STATUS

NAME OF DEFENDANT Fred Frink USAO# 2011R00623

/ MAGISTRATE'S NO. / DOCKET NO. (If Superseding Document) CR

II. CUSTODIAN STATUS

HAS DEFENDANT HAD INITIAL APPEARANCE IN THIS CASE? Yes X/ No
IF YES:

/ DEFENDANT HAS BEEN RELEASED ON THE FOLLOWING CONDITIONS: _____

*** / A DETENTION HEARING HAS BEEN SCHEDULED FOR: _____

/ A DETENTION ORDER HAS BEEN ENTERED.

*** / TEMPORARY DETENTION

*** / PERMANENT DETENTION

/ IF THE DEFENDANT HAS HAD INITIAL APPEARANCE IN ANOTHER DISTRICT, THE ABOVE RELEASE ON CONDITIONS OR DETENTION ORDER WAS ENTERED IN THE DISTRICT OF _____ AND THE DEFENDANT'S FIRST APPEARANCE IN THIS DISTRICT IS SET FOR _____ TO BE/HAS BEEN SET FOR _____

/ DEFENDANT IS IN CUSTODY ON OTHER CHARGES:

/ SERVING FEDERAL SENTENCE

/ PENDING FEDERAL CHARGE IN THE _____

/ PENDING STATE CHARGE IN THE _____

X/ WARRANT TO ISSUE. SO, PLEASE COMPLETE ARREST

/ SUMMONS TO BE ISSUED FOR APPEARANCE ON _____ CALENDAR. (DEFENDANT'S ADDRESS REQUIRED.)

DEFENDANT'S ADDRESS: _____

/ LETTER TO DEFENSE COUNSEL FOR APPEARANCE ON _____ CALENDAR.

DEFENSE ATTORNEY'S NAME: _____

DEFENSE ATTORNEY'S ADDRESS: _____

IV. CONDITIONS OF RELEASE

X/ NOT PREVIOUSLY SET, SHOULD BE: Detention
[e.g., P.R.; BAIL (listing conditions); DETENTION]

/ PREVIOUSLY SET, SHOULD BE:

/ CONTINUE CONDITIONS OF RELEASE

/ CONTINUE DETENTION

/ MODIFIED AS FOLLOWS (state reasons for modifying): _____

EVIDENCE Exhibit 2

HAS THE FPD represented any subject or witness in this case? / Yes X/ No

THE ESTIMATED TRIAL TIME IS 4 TRIAL DAYS.

August 27, 2012

(Date Form filled out)

(Revised June 2000)

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA

Plaintiff(s),

vs.

FRED FRINK,

Defendant(s).

No. CR12-2527-SL

MINUTE ORDER

The following minute order is made and entered on the docket at the direction of the
HONORABLE ROBERT S. LASNIK, UNITED STATES DISTRICT JUDGE:

A status conference for the above named defendant has been scheduled for **Tuesday, October 16, 2012 at 10:00 a.m.** in courtroom 15106 before the Honorable Robert S. Lasnik, United States District Court Judge.

DATED this 11th day of October, 2012.

/s/Kerry Simonds

by Kerry Simonds, Deputy Clerk
To Robert S. Lasnik, Judge
206-370-8519

Copy to the Court
and Counsel

EVIDENCE Exhibit

MINUTE ORDER

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRED FRINK,

Defendant(s).

Case No. CR12-0262RSL

CASE MANAGEMENT ORDER
IN CRIMINAL CASE

TRIAL DATE

November 13, 2012

All trial motions must be filed by [redacted] and noted on the motion calendar for the second Friday after the motion is filed per CrR 12.1(b)(1).

September 28, 2012

Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due

November 8, 2012

If any of the dates identified in this Order fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If a continuance of the trial is desired, counsel must first contact Teri Roberts, the judicial assistant, at 206-370-8810, to obtain a new trial date. When seeking a continuance by stipulation counsel must:

1) state facts establishing good cause for the continuance. A request for continuance "in order to provide the parties more time to prepare" is not a sufficient showing to warrant a trial continuance "in the interest of justice;"

2) file speedy trial waivers signed by the client with the stipulation to continue the trial. Although not dispositive on the subject, these waivers are useful to the Court in establishing that defendants have been consulted and are in agreement with the requested continuance. Stipulations for trial continuances will not be granted without a speedy trial waiver; and

EVIDENCE

Exhibit 2

3) have defendants waive speedy trial to at least two weeks beyond the requested trial date.

ALTERATIONS TO ELECTRONIC FILING PROCEDURES

As of June 1, 2004, counsel are required to electronically file all documents with the Court. Information and procedures for electronic filing can be found on the Western District of Washington's website at www.wawd.uscourts.gov. The following alterations to the Electronic Filing Procedures apply in all cases pending before Judge Lasnik:

- Section III, Paragraph F - when the aggregate submittal to the court (i.e., the motion, any declarations and exhibits, the proposed order, and the certificate of service) exceeds 50 pages in length, a paper copy of the documents (with tabs or other organizing aids as necessary) shall be delivered to the Clerk's Office in chambers by 10:30am the morning after filing. The chamber copy must be clearly marked with the words "Courtesy Copy of Electronic Filing for Chambers."

EXHIBITS

The original and one copy of the trial exhibits are to be delivered to chambers four days before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the Clerk's Office. The Court hereby reiterates CR 16.1 procedure for numbering exhibits: plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall be numbered consecutively beginning with 500. If the government's exhibits exceed 499 please contact Kerry Simonds at 206-370-8519. The copy of exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

DATED this 10th day of September, 2012.


Robert S. Lasnik
United States District Judge

Judge Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

FRED FRINK,

Defendant.

NO. CR12-262-RSL

GOVERNMENT'S

MEMORANDUM REGARDING
STATUS HEARING

The United States of America, by and through Jenny A. Durkan, United States Attorney for the Western District of Washington, and Thomas M. Woods, Assistant United States Attorney for the District of Columbia, respectfully submits this memorandum in the event the Court elects to conduct a *Faretta* inquiry at the upcoming status conference that is scheduled for October 16, 2012.

If Frink states at the hearing that he wishes to represent himself, the Court should proceed with a *Faretta* inquiry or refer him to a Magistrate Judge to conduct such a hearing. While a defendant has the constitutional right to self-representation, the decision to waive the right to counsel is valid only if it is "timely, not for the purposes of delay, unequivocal, and knowing and intelligent." *United States v. Keen*, 96 F.3d 425, 427 (9th Cir. 1996), *amended by* 104 F.3d 1111 (9th Cir. 1997); *Faretta v. California*, 422 U.S. 806, 835 (1975). In order to establish that a defendant has knowingly and intelligently waived his right to counsel, the Ninth Circuit requires that the defendant be made aware

EVIDENCE Exhibit 2

1 of the “three elements of self-representation: ‘[I]t must be established that the defendant
2 was ‘aware of the nature of the charges against him, the possible penalties, and the
3 dangers and disadvantages of self-representation.’” *Keen*, 96 F.3d at 427-28 (quoting
4 *United States v. Mohawk*, 20 F.3d 1480, 1484 (9th Cir. 1994)).

5 As an initial matter, the United States notes that a model inquiry for federal judges
6 is set forth in 1 Bench Book for United States District Judges § 1.02 (5th ed. 2007).

7 While other circuits have required federal judges to follow this meticulous inquiry, *United*
8 *States v. McDowell*, 814 F.2d 1255, 249 F.2d 1032 (6th Cir. 1987), the Ninth Circuit has opted for
9 a more fluid approach, *Keen*, 96 F.3d at 427.

10 Nonetheless, the United States suggests that the Court follow the model inquiry set
11 forth in the Bench Book and supplement the inquiry, if necessary, to ensure that the
12 following topics are covered with the defendant.

13 Defendant’s Waiver of Counsel is Unequivocal
14 The defendant must unequivocally state on the record that he is aware that he has a
15 constitutional right to be represented by counsel, but that he desires to waive that right
16 and proceed *pro se*.

17 **B. Defendant’s Background and Experience**

- 18 1. The defendant’s educational background.
- 19 2. The defendant’s work experience.
- 20 3. The defendant’s training in the law and knowledge of the legal system,
21 including whether he has ever studied law.
- 22 4. The defendant’s prior experience with the legal system (as party, juror, or
23 witness).
- 24 5. The defendant’s physical and mental health.
- 25 6. Whether any threats or promises have been made by anyone to influence the
26 defendant’s decision.
- 27
- 28

C. The Nature of the Charges

The defendant is charged in the Indictment with the following offenses: one count of False, Fictitious, and Fraudulent Claims, in violation of Title 18, United States Code, Section 287; two counts of Fictitious Obligations, in violation of Title 18, United States Code, Section 514(a)(2); three counts of Money Laundering, in violation of Title 18, United States Code, Sections 1957 and 2386 and one count of Bank Fraud, in violation of Title 18, United States Code, Section 1344.

1. The False, Fictitious, and Fraudulent Claims Charge

This charge consists of the following elements:

First, the defendant knowingly presented a false claim against the United States to an agency of the United States;

Second, the claim was based on a false or fraudulent material fact; and

Third, the defendant acted intentionally and knew that the claim was false and fraudulent.

2. The Fictitious Obligation Charges

These charges consists of the following elements:

First, the Defendant, issued, presented, and offered a false or fictitious instrument within the United States;

Second, the instrument purported or contrived through scheme or artifice to be an actual security or other financial instrument issued under the authority of the United States;

Third, the Defendant did so with the intent to defraud.

3. Money Laundering Charges

These charges consists of the following elements:

First, the defendant knowingly engaged or attempted to engage in a monetary transaction;

Second, the defendant knew the transaction involved criminally derived property;

Third, the property had a value greater than \$10,000;

Fourth, the property was, in fact, derived from Theft of Public Money, in violation of Title 18, United States Code, Section 641;

Fifth, the transaction occurred in the United States.

The elements of Theft of Public Money, in violation of Title 18, United States Code, Section 641, are as follows:

First, the defendant knowingly stole money or property of value with the intention of depriving the owner of the use or benefit of the money or property;

Second, the money or property belonged to the United States and

Third, the value of the money or property was more than \$1,000.

4. Bank Fraud Charge

This charge consists of the following elements:

First, the defendant knowingly carried out a scheme or plan to obtain money or property from the bank/credit union by making false statements or promises, with all of you agreeing on one particular false promise or statement that was made;

Second, the defendant knew that the statements or promises were false;

Third, the statements or promises were material, that is they would reasonably influence a bank/credit union to part with money or property;

Fourth, the defendant acted with intent to defraud; and

Fifth, the bank/credit union was federally insured.

//

//

D. The Possible Penalties

The maximum statutory penalty for each offense is as follows:

a. False, Fictitious, and Fraudulent Claims: Imprisonment for up to five (5) years, a fine of up to \$250,000 and no/100 dollars (\$250,000.00), a period of supervision following release from prison of up to three (3) years, and a special assessment of one hundred and no/100 dollars (\$100.00).

b. Each Fictitious Obligation Count: Imprisonment for up to twenty (25) years, a fine of up to \$250,000 and no/100 dollars (\$250,000.00), a period of supervision following release from prison of up to five (5) years, and a special assessment of one hundred and no/100 dollars (\$100.00).

c. Each Money Laundering Count: Imprisonment for up to ten (10) years, a fine of up to \$250,000 and no/100 dollars (\$250,000.00), a period of supervision following release from prison of up to three (3) years, and a special assessment of one hundred and no/100 dollars (\$100.00).

d. Each Bank Fraud Count: Imprisonment for up to thirty (30) years, a fine of up to \$1,000,000 and no/100 dollars (\$1,000,000.00), a period of supervision following release from prison of up to three (3) years, and a special assessment of one hundred and no/100 dollars (\$100.00).

The defendant should be advised that once released from prison, he will serve a term of supervised release, which should be explained to the defendant.

The defendant should be advised that the Court could order him to pay restitution.

The defendant should be advised that if convicted, the Court can order that the sentences be served consecutively.

The defendant should be advised that they are advisory Sentencing Guidelines that may have an effect on his sentence if he is found guilty.

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of October, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the attorney of record for the defendant.

DATED this 15th day of October, 2012.

Thomas M. Woods
THOMAS M. WOODS
Assistant United States Attorney
United States Attorney's Office
700 Stewart Street, Suite 5220
Seattle, Washington 98101-1271
Telephone: (206) 553-4312
FAX: (206) 553-6934
E-mail: thomas.woods2@usdoj.gov

John Francis
Date November 20th 2012: Fred Frink
of the Republic union state of Pennsylvania and
Nativity Right. I approve submissions and
All Rights Reserved.